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09/909,553	07/20/2001	Terence F. Kelly	067808:0113	2566

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EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,553

Applicant(s)

KELLY ET AL.

Examiner

Javid A Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-29 rejected under 35 U.S.C. 102(e) as being anticipated by Rowe et al.

1. Claim 1.

Rowe et al. in para. 0025 teach the step of “ (a) providing a time-lapse photography video image sequence; (b) generating a dynamic graphical information presentation; and (c) combining the dynamic graphical information presentation with the time-lapse photography video image sequence to form a combined graphical information and time-lapse photography presentation in which both the time lapse video image sequence”, Rowe et al. in para. 0289 teach the step of “the dynamic graphical information presentation change dynamically when the combined graphical information and time lapse photography presentation is played”.

2. Claim 2.

Rowe et al. in para. 0221 teach the step of “time synchronizing the time-lapse photography video image sequence and the dynamic graphical information presentation”.

3. Claim 3.

Rowe et al. in para. 0221 teach the step of “time synchronizing the time-lapse photography video image sequence and the dynamic graphical information presentation includes the step of

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time synchronizing the time-lapse photography video image sequence and the dynamic graphical information presentation such that the perceived speed of both the time-lapse photography video image sequence and of the dynamic graphical information presentation accelerates at a beginning of the combined graphical information and time-lapse photography presentation and decelerates at an end of the combined graphical information and time-lapse photography presentation at the same rate”.

4. Claim 4.

Rowe et al. in para. 0221 teach the step of “combining a time-lapse clock display with the combined graphical information and time-lapse photography presentation”.

5. Claim 5.

Rowe et al. in para. 0102 and table A teach the step of “generating the dynamic graphical information presentation includes the step of generating the time-lapse clock display”.

6. Claim 6.

Rowe et al. in para. 0102 and table A teach the step of “providing a time-lapse video image sequence includes the step of obtaining a time-lapse video image of sky conditions over a selected time period, comprising additionally the step of recording weather information over the selected time period, and wherein the step of generating the dynamic graphical information presentation includes the step of generating a dynamic graphical weather information presentation from the recorded weather information”.

7. Claim 7.

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Rowe et al. in para. 0102 and Fig. 2A teach the step of “obtaining a time-lapse video image of sky conditions and the step of recording weather information are performed in a time synchronized manner”.

8. Claim 8.

Rowe et al. in para. 0121 and Fig. 2A teach the step of “recording weather information over the selected time period includes the step of recording weather information selected from the group of types of weather information consisting of: type of precipitation, quantity of s precipitation, temperature, wind speed, and wind direction”.

9. Claim 9.

Rowe et al. in para. 0179 and Fig. 9 teach the step of “providing a time-lapse photography video image sequence includes the step of selecting a video image sequence from a plurality of stored video image sequences”.

10. Claim 10.

Rowe et al. in para. 0179 and Figs. 9-11 teach the step of “obtaining weather condition forecast information, wherein the step of generating a dynamic graphical information presentation includes the step of generating a dynamic graphical weather information presentation from the weather condition forecast information, and wherein the step of s providing a time-lapse photography video image sequence includes the step of selecting a video image sequence of sky conditions corresponding to the weather condition forecast information from a plurality of stored video image sequences of a variety of sky conditions”.

11. Claim 11.

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Rowe et al. in para. 0025 teach the step of “(a) means for obtaining a time-lapse photography video image sequence; (b) means for generating a dynamic graphical information s presentation; and (c) means for combining the dynamic graphical information presentation with the time-lapse photography video image sequence to form a combined graphical information and time-lapse photography presentation in which both the time lapse video image sequence”, Rowe et al. in para. 0289 teach the step of “the dynamic graphical information presentation change dynamically when the combined graphical information and time lapse photography presentation is played.

12. Claim 12.

Rowe et al. in para. 0221 teach the step of “synchronizing the time-lapse photography video image sequence and the dynamic graphical information presentation”.

13. Claim 13.

Rowe et al. in para. 0221 teach the step of “combining a time-lapse clock display with the combined graphical information and time-lapse photography presentation”.

14. Claim 14.

The step of “obtaining a time-lapse video image sequence includes a computer processor controlled video camera” is inherent, for example the converter of VGA and NTSC system synchronize the time-lapse video image.

15. Claim 15.

Rowe et al. in para. 0330 teach the step of “recording weather information over a selected time period, and wherein the means for generating the dynamic s graphical information presentation

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includes means for generating a s dynamic graphical weather information presentation from the recorded weather information”.

16. Claim 16.

Rowe et al. in Fig. 3A teach the step of “recording weather information over the selected time period includes an automated weather station for gathering automatically the weather information”.

17. Claim 17.

Rowe et al. in para. 0179 and Fig. 9 teach the step of “obtaining a time-lapse photography video image sequence includes means for selecting a video image sequence from a plurality of stored video image sequences”.

18. Claim 18.

Rowe et al. in para. 0102, 0179; Figs. 9-11 and table A teach the step of “obtaining weather condition forecast information, wherein the means for generating a dynamic graphical information presentation includes means for generating a dynamic graphical weather information presentation from the weather condition forecast information, and wherein the means for obtaining a time-lapse photography video image sequence includes means for selecting a video image sequence of sky conditions corresponding to the weather condition forecast information from a plurality of stored video image sequences of a variety of sky conditions”.

19. Claim 19.

Rowe et al. in para. 0221 teach the step of “generating a dynamic graphical information presentation and the means for combining the dynamic graphical information presentation with

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the time-lapse photography video image sequence to form a combined graphical information and time-lapse photography presentation include a computer processor system”.

20. Claim 20.

Rowe et al. in para. 0025 teach the step of “(a) obtaining weather condition forecast information; (b) generating a dynamic graphical information presentation from the weather condition forecast information; (c) obtaining a video image sequence of sky conditions corresponding to the weather condition forecast information”, Rowe et al. in para. 0289 teach the step of (d) combining the dynamic graphical information presentation and the video image sequence to form a combined dynamic graphical information and video sequence weather forecast presentation in which both the video image sequence and the dynamic graphical information presentation change dynamically when the combined graphical information and video presentation is played”.

21. Claim 21.

Rowe et al. in Fig. 4A step 104 teach the step of “obtaining the weather condition forecast information includes the step of running a weather forecasting computer model”.

22. Claim 22.

Rowe et al. in para. 0102, 0179; Figs. 9-11 and table A teach the step of “obtaining a video image sequence includes the step of selecting a video image sequence of sky conditions corresponding to the weather condition forecast information from a plurality of stored video image sequences of a variety of sky conditions”.

23. Claim 23.

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Rowe et al. in para. 0136 teach the step of “selecting a video image sequence of sky conditions corresponding to the weather condition forecast information from a plurality of stored video image sequences of a variety of sky conditions is performed automatically”.

24. Claim 24.

Rowe et al. in para. 0102, 0179; Figs. 9-11 and table A teach the step of “obtaining a video image sequence includes the step of obtaining a time-lapse photography video image sequence of sky conditions corresponding to the weather condition forecast information”.

25. Claim 25.

Rowe et al. in para. 0025 teach the step of “(a) means for obtaining weather condition forecast information; (b) means for generating a dynamic graphical information presentation from the weather condition forecast information; (c) means for obtaining a video image sequence of sky conditions corresponding to the weather condition forecast information”, Rowe et al. in para. 0289 teach the step of (d) means for combining the dynamic graphical information presentation and the video image sequence to form a combined dynamic graphical information and video sequence weather forecast presentation in which both the video image sequence and the dynamic graphical information presentation change dynamically when the combined graphical information and video presentation is played”.

26. Claim 26.

Rowe et al. in Fig. 4A step 104 teach the step of “obtaining weather condition forecast information includes a weather forecasting computer model”.

27. Claim 27.

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Rowe et al. in para. 0102, 0179; Figs. 9-11 and table A teach the step of “obtaining a video image sequence includes means for selecting a video image sequence of sky conditions corresponding to the weather condition forecast information from a plurality of stored video image sequences of a variety of sky conditions”.

28. Claim 28.

Rowe et al. in para. 0102, 0179; Figs. 9-11 and table A teach the step of “obtaining a video image sequence includes the step of obtaining a time-lapse photography video image sequence of sky conditions corresponding to the weather condition forecast information”.

29. Claim 29.

Rowe et al. in para. 0221 teach the step of “generating a dynamic graphical information presentation from the weather condition forecast information and the means for combining the dynamic graphical information presentation and the video image sequence to form a combined dynamic graphical information and video sequence weather forecast presentation include a computer processor system”. The step of “include computer processor” is inherent, for example the converter of VGA and NTSC system synchronize the time-lapse video image.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-8705 for regular communications and 703-746-8705 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Javid A Amini
Examiner
Art Unit 2672

Javid Amini
July 22, 2003



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